

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 1:05CR81**

**GARY TAYLOR**

**ORDER**

This cause is before the Court on the defendant's Motion to Continue Trial [15]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for October 2, 2006. Taylor's counsel avers that she is scheduled for major surgery on that date and will require six to eight weeks for recovery. In addition, the defendant himself is involved in a residential drug treatment program; counsel is uncertain when Taylor will complete the rehabilitation program. The government does not oppose the requested continuance. Based on the foregoing, the Court finds that the motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from October 2, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to ensure the availability of Taylor's counsel at trial and to afford defendant every opportunity to successfully complete the substance abuse program mentioned above. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests

of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion to Continue Trial [15] is GRANTED;
2. That the trial of this matter is continued until Monday, December 11, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from October 2, 2006 until December 11, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is November 20, 2006;
5. That the deadline for submitting a plea agreement is November 27, 2006.

SO ORDERED, this the 27<sup>th</sup> day of September, 2006.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE